



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : DENYER et al.  
Appln. No. : 09/781,610  
Conf. No.: 3883  
Filed: February 12, 2001  
Title: CONTROLLING DRUG DELIVERY APPARATUS  
Group Art Unit : 3731  
Examiner : Mendoza, M.  
Docket No. : 00-41 RCE

\* \* \* \* \*

09/07/2005 MAHMED1 00000004 500558 09781610

September 1, 2005

02 FC:1806 180.00 DA

### INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents  
and Trademarks  
Alexandria, VA 22313-1450

Sir:

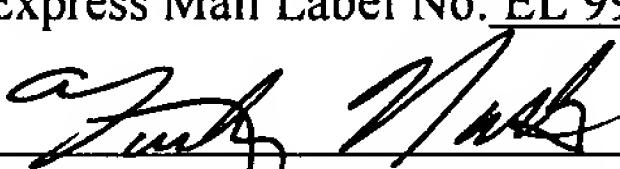
Attached is a Form PTO-1449 listing the enclosed documents.

Should a first action on the merits have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under Rule 97(c) and charge the requisite Rule 17(p) fee to our Deposit Account No. 50-0558 and proceed to consider this Information Disclosure Statement.

#### CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on September 1, 2005 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
Express Mail Label No. EL 997385310 US.

  
\_\_\_\_\_  
Timothy Nathan, Reg. No. 44,256

The Commissioner is authorized to charge the Rule 17(p) Official Fee required by Rule 97(c) in lieu of certification to our Deposit Account No. 50-0558. Duplicate copies of the Fee Transmittal form are submitted herewith for this purpose.

In compliance with 37 C.F.R. § 1.98, Applicant is not required to provide a copy of any U.S. Patent or U.S. Patent Application publication listed in the accompanying form PTO-1449. However, Applicant will make available to the Examiner a copy of any document listed in the attached PTO-1449 form not otherwise available.

In accordance with 37 C.F.R. § 1.97 (g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

By   
Timothy Nathan  
Reg. No.: 44,256  
Tel. No.: (724) 387-4435  
Fax No.: (724) 387-5021

RESPIRONICS, INC.  
1010 Murry Ridge Lane  
Murrysville, PA 15668-8525  
1-800-638-8208

PTO/SB/08 Form (RESPIRONICS Version)		Application No.	09/781,610		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Filing Date	February 12, 2001		
		Inventor	DENYER et al.		
		Confirmation No.	3833		
		Group Art Unit	3731		
Date	September 1, 2005		Examiner:	Mendoza, M.	
Sheet	1	of	1	Attorney Docket No:	00-41 RCE

## **U.S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

Examiner Signature	Date Considered	
-----------------------	--------------------	--

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.